

## LABOUR DEPARTMENT

The 6th July, 1973

No. 6824-4Lab-73/24964.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and management of M/s Bhiwani Textile Mills, Bhiwani.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 101 of 1971

between

SHRI BHOORU AND THE MANAGEMENT OF M/S BHIWANI TEXTILE MILLS,  
BHIWANI

Present:

Shri Rohtash Kumar for the workman.

Shri N. M. Jain for the Management.

## AWARD

Shri Bhooru, son of Ram Dhan concerned workman was in the service of M/s Bhiwani Textile Mills, Bhiwani. He was dismissed from service,—*vide* order dated 28th May, 1970. He raised a demand for reinstatement to which the management did not agree. This gave rise to an industrial dispute and on receipt of the failure report from the Conciliation Officer, the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947 referred the above dispute to this court,—*vide* order No. ID/HSR/18-D/20220-24, dated 2nd July, 1971 with the following term of reference.

“Whether the termination of services of Shri Bhooru, son of Shri Ram Dhan was justified and in order? If not, to what relief is he entitled?”

Usual notices were given to the parties and they put in their respective written statements. The management contested the claim of the workman on the ground that he was guilty of mis-conduct in the discharge of his duties and the impugned action of dismissal from service had been taken against him after holding the proper domestic enquiry in which the charge had been duly established.

It is however, not necessary to go into the merits of the case as the parties have arrived at an amicable settlement. Their statements have been recorded. The management had agreed to convert the dismissal order into one of discharge from service and pay to Shri Bhooru concerned workman his legal dues i.e. bonus for the years 1969-70, 1970-71, wages in lieu of leave due for the year 1969, the amount of gratuity due on the basis of old scheme. The management has further agreed to pay him Rs. 500 as *ex gratia*. The amounts so due have to be paid to him within a week from today. The concerned workman has forgone his right of reinstatement. The award is made accordingly. There shall be no order as to costs.

Dated the 28th June, 1973

O. P. SHARMA,

Presiding Officer,

Labour Court, Haryana, Rohtak.

No. 1631, dated the 30th June, 1973.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

Dated the 28th June, 1973

O. P. SHARMA,

Presiding Officer,

Labour Court, Haryana, Rohtak.